

F. No. 3-50/2017-IA.III (Pt.)
Government of India
Ministry of Environment, Forest and Climate Change
(IA-III Section)

Indira Paryavaran Bhawan,
Jor Bagh Road, New Delhi – 3

Dated: 28th December, 2017

CIRCULAR

Sub: Consideration of proposals for ex-post facto environmental clearance to the projects/activities involving violation of the EIA Notification, 2006 - reg.

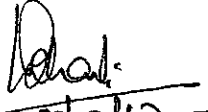
The Ministry of Environment, Forest and Climate Change has issued a Notification S.O. 804 (E) dated 14th March, 2017 under the Environment (Protection) Act, 1986 to appraise the projects, which have started the work without taking prior environmental clearance in terms of the provisions of the EIA Notification, 2006.

2. In pursuance of the said Notification, this Ministry has received a number of proposals for Terms of Reference/Environmental Clearance relating to different sectors, for consideration by the duly constituted Expert Appraisal Committee (EAC). In order to streamline and expedite these proposals in terms of the provisions of the Notification, following clarifications are issued for compliance with immediate effect:

- (a) After issue of the Ministry's Notification in March, 2017, some proposals were submitted directly for consideration of EC (in place of ToR), may be due to confusion and the least clarity during initial stages. Such proposals are also to be considered in order of their submission on the Ministry's portal.
- (b) As per the orders of the Hon'ble High Court, Madras in the Writ Petition No. 11189/2017 titled 'Puducherry Environment Protection Association Vs Union of India', public hearing needs to be conducted in all cases relating to different sectors, irrespective of the relevant provisions of the EIA Notification, 2006 in this regard. That would be stipulated as one of the conditions in the ToR to be issued in all such cases.
- (c) Respective sectors in IA Division to take follow up/further action on the recommendations of the EAC, deal with the court matters and other references (Parliamentary matters, VIP References, RTI matters etc.) pertaining to their sector.

3. All the Member Secretaries/ concerned officers handling different sectors IA Division are requested to take note of the above for compliance.

4. This issues with approval of the competent authority.


28/12/17
(Gyanesh Bharti)
Joint Secretary

To,

1. Member Secretary of all the Sectors
2. All Officers of IA Division

Copy to:

1. PPS to Secretary, EF&CC
2. PPS to AS(AKJ) / AS(AKM)
3. PS to JS(RKS) / JS(GB) / JS(JT)

Copy to:-

1. **The C.E.O., NABET Secretariat**
National Accreditation Board for Education & Training (NABET),
ITPI Building, 6th Floor, 4-A,
Ring Road, I P Estate,
New Delhi – 110002.
2. The Director (IA-Policy), MoEF&CC, New Delhi.
3. Joint Director (SC), Monitoring Cell.
4. Guard file/Monitoring file.

(Dr. S. Kerketta)
Director (IA.1)